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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 001470

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NSC FOR J.BADER, D. WALTON

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TAGS: [PGOV](#) [PTER](#) [ASEC](#) [ID](#)

SUBJECT: PARLIAMENT REVIEWS COUNTERTERRORISM LAW WITH AN  
EYE TO INCREASING DETENTION TIMEFRAME

REF: JAKARTA 1412

Classified By: Pol/C Joseph L. Novak, reasons 1.4(b+d).

¶1. (C) SUMMARY: Prodded by the July 17 bombings, Indonesia is reviewing its counterterrorism legislation. A proposed amendment to Indonesia's existing counterterrorism law would increase the potential detention period for suspected terrorists to a maximum of two years before charges are filed. The proposed amendment would also increase the ability of the GOI to arrest people for pro-terror speech. While the GOI is on board with the proposals, the draft legislation faces additional scrutiny amid complaints by human rights organizations.

¶2. (C) SUMMARY (Con'd): In other CT-related news, the GOI continues to investigate detained suspect Muhammad Jibril's links to the financing of the July 17 Jakarta bombings. The International Crisis Group also recently published a report detailing terrorist leader Noordin M. Top's "support network" in Indonesia. Despite an all-out police effort, Top continues to evade capture. END SUMMARY.

REVIEWING DRAFT CT LEGISLATION

¶3. (SBU) Against the background of the July 17 Jakarta bombings, Indonesia is considering adjustments to its CT legislation. The Indonesian House of Representatives (DPR) Commission on Counterterrorism held a working session on August 31 to discuss proposed legislation. The Commission announced that it will support a proposed amendment to the existing terrorism law that would extend the period of time suspected terrorists can be detained without being charged with a crime from the current 7-day period to a possible 2-year period.

¶4. (C) The GOI supports the measure. Ansyad Mbai, Chief of the Counterterrorism Desk at the Coordinating Ministry for Political, Legal, and Security Affairs, told us that the seven day period was "an insufficient amount of time" for investigations to take place and that the two-year period, like that established by Malaysia's Internal Security Act, would allow police sufficient time to conduct full, effective investigations.

¶5. (C) The proposed amendment would also expand capabilities to make arrests for hate speech and speech that promotes terror. In addition, the amendment would regulate the involvement of the Indonesia military (TNI) in counterterrorism efforts, and stipulate the nature of cooperation between the Indonesian military and the Indonesian National Police (INP). The Commission also asked the government to improve inter-agency cooperation, and

called for the immediate establishment of a centralized counterterrorism body that would have the authority and operational responsibility for counterterrorism efforts.

¶6. (C) Not everyone was upbeat about the proposed legislation. The chief of the Indonesian National Human Right Commission (Komnas HAM), Ifdhal Kasim, said that a two-year detention without formal charges would be "a violation of human rights." Other human rights advocates echoed Kasim's points, asserting that Indonesia was headed back to the "authoritarian mechanisms" of the Suharto period.

¶7. (C) In terms of next steps, the proposed legislation is slated for additional review by Parliament. It seems unlikely to be approved in the next month before the new Parliament is sworn in on October 1. This would mean that the legislation would have to be taken up anew in the next Parliament.

#### JULY 17 INVESTIGATION MOVES FORWARD

¶8. (C) Separately, the Indonesian government's investigation into the deadly July 17 hotel bombings at two Jakarta hotels moves forward. One thread of the investigation involves Muhammad Jibril, alias Muhammad Ricky Ardhen, who was arrested on August 25 (see reftel). The police are investigating Jibril for allegedly facilitating financial links to terrorist organizations that may have funded the July 17 bombings. Police chief Danuri stated publicly that Jibril was a former member of an Al-Qaeda-connected group called Al-Ghuroba while he was studying Islam in Karachi,

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Pakistan, around the 2001-03 timeframe. The GOI continues to investigate a detained Saudi national for terrorist financing links to the July 17 events.

#### NEW REPORT ON NOORDIN M. TOP

¶9. (C) In the meantime, Noordin M. Top, the Jemmah Islamiyah (JI)-associated terrorist leader implicated in the July 17 bombings, remains on the run. Indonesian police continue an all-out search for Top, especially in the West and Central Java regions. Top has proven adept in evading capture and the police realize that they have their work cut out for them.

¶10. (C) Regarding Top, the International Crisis Group (ICG) recently published a report entitled "Indonesia: Noordin Top's Support Base." The report focused on an apparent web of supporters that enabled Top to move covertly around Indonesia, including the following "sub-networks":

- an inner circle of JI militants;
- Islamic boarding schools (pesantrens) and other educational facilities used to recruit new members; and,
- family networks stemming from his various marriages (number unconfirmed, but perhaps as many as four).

¶11. (C) The report also traces the presumed networks' geographical reach within Indonesia and how Top and his supporters recruit new members. Jim Della-Giacoma, ICG Southeast Asia Project Director, reiterated to us the report's main point to the effect that Top's network is larger than previously thought, although the size and breadth remain to be determined.

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